IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 108 of 1984

SHANKAR LAL
V/S
MOHAN LAL

Mr.Jitendra Chopra for the appellant.

Mr.D.R.Bhandari, for the respondent

Date of Order : 7.7.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Mr.Bhandari learned counsel appearing on behalf of respondent objector submits that his client's son informs that the matter has already been settled between the parties and litigation no more survives. He also informs that appellant Shankar Lal has already expired long back. Learned counsel for the appellant informs that he wrote many letters to the appellant but has received no response.

Relying upon the statement of Mr.Bhandari about the matter no more surviving and in view of the death of Shankar Lal and his legal representatives having not been brought on record, the appeal is dismissed as abated. It is, however, clarified that in case it is found that

dispute survives and the appellants are entitled to get substituted the names of legal representatives of deceased Shankar Lal it will be open to them to move an appropriate application within 30 days from today. If any such application is presented, the same will be decided on its own merits in accordance with law.

(N P GUPTA),J.

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